

VILLAGE OF ANGEL FIRE
Angel Fire NM 87710
(575) 377-3232
PUBLIC NOTICE
Council Work Session
Tuesday January 23rd, 2016 at 4:30 PM at Village Hall

Call to Order
Pledge of Allegiance
Roll Call
Approval of Agenda
Council Work Session:

- 1. Introduction into the RFP Process Presented by Procurement Office**

Adjournment

Terry Cordova, Village Clerk

Barbara Cottam, Mayor

Post: 2/18/2016

THE PUBLIC IS INVITED TO ATTEND

Subject to Change Until: Friday January 19th, 2016 at 4:30 pm

AGENDA MAY BE PICKED UP AT THE VILLAGE HALL
3388 MOUNTAIN VIEW BLVD., ANGEL FIRE, NM 87710
AGENDA MAY ALSO BE VIEWED AT OUR WEBSITE: ANGELFIRENM.GOV
IF YOU ARE AN INDIVIDUAL WHO IS IN NEED OF ANY AUXILIARY AID OR SERVICE TO ATTEND THE
MEETING ,PLEASE CONTACT THE VILLAGE CLERKS OFFICE 48 HOURS PRIOR TO THE MEETING .

VILLAGE OF ANGEL FIRE

Angel Fire NM 87710

(575) 377-3232

PUBLIC NOTICE

Council Meeting

Tuesday February 23rd, 2016 at 5:30pm at Village Hall

Call to Order

Pledge of Allegiance

Roll Call

Approval of Agenda

Approval of Consent Agenda

1. Approval of the February 9th Regular Council Meeting Minutes

Requests and Responses from the Audience (Limited to 3 minutes)

Announcements and Proclamation

Reports

1. Governing Body Report

2. Manager's Report

3. Staff Report

Old Business - None

New Business

A. Introduction of Rebecca Hoy Colfax County Clerk

**B. Discussion/ Approval of an Engineering RFP 2016-02 to Replace
Engineering RFP 2016-01**

Terry Cordova, Village Clerk

Barbara Cottam, Mayor

Post: 02/18/2016

THE PUBLIC IS INVITED TO ATTEND

Next Regular Council meeting will be: March 15th, 2016 at 5:30 pm

Subject to Change Until: Friday February 19th 2016 at 5:30pm

AGENDA MAY BE PICKED UP AT THE VILLAGE HALL

3388 MOUNTAIN VIEW BLVD., ANGEL FIRE, NM 87710

AGENDA MAY ALSO BE VIEWED AT OUR WEBSITE: ANGELFIRENM.GOV

**IF YOU ARE AN INDIVIDUAL WHO IS IN NEED OF ANY AUXILIARY AID OR SERVICE TO ATTEND THE MEETING ,PLEASE
CONTACT THE VILLAGE CLERKS OFFICE 48 HOURS PRIOR TO THE MEETING .**

VILLAGE OF ANGEL FIRE
Council Regular Meeting Minutes
Tuesday February 9th, 2016 at the Village Hall
DRAFT

Call to Order

Mayor Cottam called the meeting to order at 5:30 PM

Pledge of Allegiance

Mayor Cottam called for the Pledge of Allegiance.

Roll Call

Present were Mayor Cottam, Mayor Pro-tem Howe, Councilor Germscheid, Councilor Lanon, Councilor Colenda arrived at 5:44pm. Also present were Village Manager Richard Tafoya, and Village Clerk Terry Cordova. A quorum was present.

Approval of Agenda

Mayor Pro-tem Howe made the motion to approve the agenda. Councilor Germscheid seconded.
Motion carried 3-0

Approval of Consent Agenda

1. Approval of January 12th Regular Council Meeting Minutes

Mayor Pro-tem Howe made the motion to approve the consent agenda, Councilor Lanon seconded.
Motion carried 3-0

Requests and Responses from the Audience (Limited to 3 minutes)

1. Dennis Edwards – Expressed concerns about the mud at the recycle center. .

Announcements and Proclamations –Mayor Cottam introduced the village's newest employees.

Reports:

a. Governing Body Report

Mayor Pro-tem Howe reported that the 434 to Guadalupita that was scheduled for reconstruction this year has been pushed back to start in fiscal year 2017. He also reported that he has been in Santa Fe a lot trying to get money for the memorial. At this time it looks like they may be getting \$158,000 and that would be used to redo the helicopter that is in need of work. He also reported that Winter Fest will start the weekend of February 20th at the resort and is for all active duty military, veterans and their families.
Councilor Germscheid reported that the minutes for the sustainability committee would be ready soon. The committee would like to spend the fundraiser money for a piece of art work.

b. Manager's Report

Manager Tafoya gave a brief report on several legislative events. (See attached)

c. Staff Reports

Tracy Orr and Fabian Mascarenas, Grants and Procurement gave a report on their department (see attached)

Brian Bredthauer, Solid Waste Superintendent, gave an update on his department (see attached)

Brad McCaslin, Police Chief gave an update on the police department (see attached)

Andy Bertges, Fire Chief gave an update on the hiring of the emergency manager (see attached)

Bret Wier, Finance Manager went over financials with council.

Old Business-None

New Business

A. Discussion/Approval of Resolution 2016-03 a Resolution Approving the Budget Adjustment Requests for the Second Quarter of the 2016 Fiscal Year

Bret Wier, Finance Manager explained that the budget adjustment request contained several needed changes to the 2015/2016 fiscal budget. These changes are a result of unanticipated and unbudgeted revenues and expenses that the village has encountered in the second quarter of the year. Had these expenditures not been made a reduction of

1 service to the residents would have occurred. Several of the requested changes are due to
2 emergency situations and the expenses have already been expended. Mayor Pro-tem
3 Howe made the motion to approve resolution 2016-03 a resolution approving the budget
4 adjustment requests for the second quarter of the 2016 fiscal year. Councilor Lanon
5 seconded. With no further discussion the motion carried 4-0 with Mayor Pro-tem Howe
6 –aye, Councilor Germscheid –aye, Councilor Lanon-aye, Councilor Colenda –aye.

7 **B. Discussion/ Approval of Resolution 2016-04 a Resolution Increasing and Revising**
8 **Solid Waste Trash Service Rate and Rescinding All Others**

9 Brian Bredthauer, Solid Waste Superintendent, Explained the need for the increase.
10 Council members expressed their concerns that the business owners were not given
11 notice of these rates changes. Mayor Pro-tem Howe made the motion to postpone
12 resolution 2016-04. Councilor Germscheid seconded. With no further discussion the
13 motion carried 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye,
14 Councilor Lanon-aye, Councilor Colenda –aye.

15 **C. Discussion / Approval of Resolution 2016-05 a Resolution Authorizing the**
16 **Submittal of an Application for the 2016-2017 New Mexico Department of**
17 **Transportation Municipal Arterial Program for Improvements to Camino Grande**
18 **Phase II**

19 Tracy Orr ,Grants and Projects , explained that the Village of Angel Fire is seeking
20 funding assistance from NMDOT for the construction ,reconstruction, drainage
21 improvements, and construction management of Camino Grande from 1500' east of
22 NMSR 434 to approximately 200' past Louise Trammel Way ,including the transition
23 onto Louise Trammel Way. The village is applying for funding from NMDOT for the
24 Municipal Arterial Program for fiscal year 2016-2017. The department share will be
25 75% and the village's share will be 25%. Mayor Pro-tem Howe made the motion to
26 approve resolution 2016-05 a resolution authorizing the submittal of an application for
27 the 2016-2017 NMDOT Municipal Arterial Program for improvements to Camino
28 Grande. Councilor Germscheid seconded. With no further discussion the motion carried
29 4-0 with Mayor Pro-tem Howe –aye, Councilor Germscheid –aye, Councilor Lanon-aye,
30 Councilor Colenda –aye.

31 **D. Discussion / Approval for the Procurement Department to Negotiate with Souder,**
32 **Miller and Associates as our On-Call Engineering Firm for the Village of Angel**
33 **Fire**

34 Tracy Orr and Fabian Mascarenes, Procurement officer explained, that an RFP was
35 issued for engineering services on January 15, 2016. Proposals were due January 29,
36 2016. We received 7 proposals from engineering firms throughout the state. The
37 proposals were given to a 5 person evaluation committee on Friday and Monday January
38 29, 2016 and were to be scored on scope of work and technical ability. The evaluation
39 committee scored the RFP's on specific points listed on the evaluation sheet. The scores
40 were tabulated and the engineering firm scoring the highest was Souder, Miller and
41 Associates. Mayor Cottam asked how the scoring was done and that she has not heard of
42 this firm. Councilor Lanon asked one of the members of the scoring committee about
43 the method used in scoring the RFP. Councilor Germscheid asked if they could hear
44 from Dennis Engineering as they are here at the meeting. Tappan Mahoney with Dennis
45 Engineering addressed the council and expressed his concern with various items he felt
46 were not in good standing with the RFP. He also stated that he was in no way trying to
47 under mind the process. He also asked about the interviews that are allowed for in the
48 RFP. Tappan thanked council for the chance to speak. Fabian added that there is a
49 protest period that Dennis Engineering could file for. Mayor Pro-tem Howe made the
50 motion to approve the procurement department to negotiate with Souder, Miller and
51 Associates as the on-call engineering firm for the Village of Angel Fire based on the
52 RPF and scoring results. Councilor Colenda seconded. With no further discussion the
53 motion failed 0-4. Mayor Pro-tem Howe made the motion to direct the manager to form

1 a committee to interview the top three candidates for on-call engineering. Councilor
2 Colenda seconded. With no discussion the motion carried 4-0
3
4
5

6 **Adjournment**

7 Mayor Cottam adjourned the meeting at 6:55PM
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9
10

11 **Passed, Approved and Adopted on this 23rd day in February, 2016**
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13
14
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16

17 _____
18 **Barbara Cottam, Mayor**

19 **ATTEST:**

20 _____
21 **Terry Cordova, Village Clerk**
22
23

Village Manager Council Report 2/9/2016

Over the past two weeks, I have been attending various events at the Capitol while legislature has been in session. Specifically, events hosted by: Santa Fe Chamber of Commerce, The New Mexico Municipal League, and Colfax County. All of these were well attended and provided a great opportunity to meet and mingle with other municipal and state leaders. Thursday 1/28, Village of Angel Fire, Village of Eagle Nest, the state Engineers office, and the Environmental Dept. all met with Sen. Campos in his office at the Roundhouse. Water Rights was the primary topic of this particular meeting specifically water loss and bleeders. Sen. Campos set up a meeting for us the following Friday morning with the Finance Authority to see about a 100% grant in order to help with planning. Now, our Grants and Finance department have been following up on this. Tracy will be giving a report on the status.

Staff Report-Grants and Procurement

February 9, 2016

It's grant season again!

The following are grants the Village plans on applying for:

1. MAP
2. Coop
3. Recycling and Illegal Dumping
4. Tourism
5. Hazardous Fuel Treatments
6. Wildfire Risk Reduction
7. New Mexico Clean & Beautiful
8. Recreation Trails Program
9. LEADS - Local Economic Assistance and Development Support

We continue to research and monitor upcoming grants opportunities.

We are currently working on the Clean Water State Revolving Fund, preparing the required documents for them. We are also working on a Local Government Planning Fund Application for \$50,000 to conduct a Preliminary Engineering Report for Water/Wastewater.

We have completed the RFP process and the evaluations for an on-call Engineer. Our "short-list" contains the top three firms as narrowed down by the evaluation committee. They are in order of scores 1) Souder-Miller & Associates 2) Molzen Corbin 3) Dennis Engineering Company. Our next step involves negotiations with the top-scoring firm, Souder-Miller & Associates.

TRASH AND RECYCLING INFORMATION

From January 1, 2015 to December 31, 2015

TRASH

2'166 tons of trash to landfill

129 loads to landfill—2.48 loads a week

\$166'602 for hauling to Wagon Mound

\$62,000 landfill charges

RECYCLING

2.3 tons of plastic= \$26.10-----this is 8 bales we have another 11 bales on hand.

2.2 tons of aluminum =\$2'088.00

95.8 tons of cardboard=\$7'177.00

26.6 tons of mix paper=\$420.00

24.7 tons of scrap metal=\$2'122.00

2 tons pallets=\$0

= 153.6 tons=\$11'833.10

**ANGEL FIRE
POLICE DEPARTMENT**

3465 MOUNTAIN VIEW BLVD
ANGEL FIRE, NM 87710

Date : 02/09/2016
Page : 1
Agency : AFRD

Calls For Service Totals By Call Type

01/01/2016 to 01/31/2016

Call Type	Totals
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10-44	Property Accident	6
10-45	Injury Accident	1
10-57	Drunk Person	4
10-75	Stolen Vehicle	1
10-89	Welfare Check	1
911	911 Call	3
AOA	Assist Other Agency	3
CIVSTBY	Civil Standby	1
LARCENY	Larceny	2
LITTER	Littering	1
MA	Motorist Assist	2
S11	Abandoned Vehicle	3
S13A	Suspicious Activity	2
S16	Obstruction on Roadway	2
S21V	Burglary of Vehicle	1
S22	Disturbance	5
S22D	Domestic	1
S22N	Noise Complaint	2
S3	Hit and Run Accident	1
S33	Shoplifting	1
S34	Criminal Damage	4
S35	Narcotics	1
S37	Suspicious Incident	1
S40	Alarm	8
S48	Animal Complaint	3
S49	Harassment	1
S52	Assault	1
S52A	Aggravated Assault	1
S57	Fraud	1

Grand Total for all calls	64
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**ANGEL FIRE
POLICE DEPARTMENT**

3465 MOUNTAIN VIEW BLVD
ANGEL FIRE, NM 87710

Date : 02/09/2016
Page : 1
Agency : AFPD

Citation Totals By Violation

01/01/2016 to 01/31/2016

Violation		Total
12-10-1.5	No Headlamps	2
12-10-4(A)	DISPLAY OF CURRENT VALID REGISTRATI	1
12-10-6(B)	UNINSURED MOTOR VEHICLE	1
12-4-6	IMMEDIATE NOTICE OF ACCIDENTS	1
12-6-1.1	SPEEDING	7
12-6-12.4	CARELESS DRIVING	1
12-6-13.13(A)	MANDATORY USE OF SEATBELTS	1
12-6-13.2	Unlawful Riding	1
12-6-2.7	No Passing Zone	1
12-6-4.3(D)	STOP SIGN VIOLATION	1
12-6-6.1	Parking Prohibited in Specified Pla	1
5-2B-4(A)	DISORDERLY CONDUCT (Violent, Abusive	1
5-3B-1	DOGS RUNNING AT LARGE	1
60-7B-1	MINOR IN POSSESSION OF ALCOHOL	1
Grand Total		21

**ANGEL FIRE
POLICE DEPARTMENT**

3465 MOUNTAIN VIEW BLVD
ANGEL FIRE, NM 87710

Date : 02/09/2016
Page : 1
Agency : AFD

Arrest Totals By Violation

01/01/2016 TO 01/31/2016

Violation	Total
	1
12-6-12.6(A) ... DRIVING ON A SUSPENDED LICENSE	1
30-09-14 INDECENT EXPOSURE	1
30-15-1 CRIMINAL DAMAGE TO PROPERTY	4
30-3-2A AGGRAVATED ASSAULT W/DEADLY WEAPON	2
30-31-23 POSSESSION OF CONTROLLED SUBSTANCE	1
30-31-25.1 POSSESSION OF DRUG PARAPHERNALIA	1
30-6-1 ABANDONMENT OR ABUSE OF A CHILD	1
30-9-12 CRIMINAL SEXUAL CONTACT	1
5-2B-4(B) DISORDERLY CONDUCT (Communications by...	1
5-2C-4(C)(2) SHOPLIFTING (Concealing, convert w/o...	2
5-3A-2 ANIMALS RUNNING AT LARGE	1
66-8-102D1 AGG. DWI	1
Grand Total	18

Fire Department Report

DHS does not currently have the money to support the 25% match for the proposed emergency manager. The Fire Dept does have the full amount in the budget and would like to proceed with the hiring of the emergency manager for the remainder of the year

Village of Angel Fire
Council Meeting
February 9, 2016

Finance Department Report

The council was presented with a Revenue and Expense Report as of December 2015 and was informed that the Village was on budget through this period. The revenue for the General Fund was flat year over year. The GRT revenue is down but the decreases in GRT was made up by increases in Property tax and Franchise tax. The General Fund has an operating loss of \$314K primarily due to capital purchases and unbudgeted expenses like the replacement of the Community Center roof.

The Enterprise Funds also have operating losses primarily due to capital expenditures that will not occur in the second half of the year. It is believed that the revenues from the winter months will cover these losses.

The December Lodgers tax collections were \$86K. This is the largest single month in our records. This is a good indicator that GRT receipts for December will go a long way to cover the current losses in the General Fund.

Bret E. Wier
Finance Manager

COUNCIL AGENDA ITEM

STAFF RECOMMENDATION

MEETING DATE: February 23, 2016

TO: Mayor / Council and Village Manager

FROM: Tracy Orr

SUBJECT: Approve Engineering RFP 2016-002 to replace Engineering RFP 2016-001

Background/Facts : The Request for Proposal 2016-001 for Engineering Services has been cancelled and a new RFP 2016-002 is ready for posting.

Alternatives: N/A

1) **Financial Impact and Review:**

Financial Impact: No

Budgeted Item: N/A

Funding Source:

Finance Department Comments and Review:

Finance Directors Signature

2) **Attached Documents:** Engineering RFP 2016-002

3) **Staff's Recommended Motion:** Motion and Second to Approve Engineering Request for Proposal 2016-002 to replace Engineering RFP 2016-001

4) **Village Manager's Recommendation:**

Approval: _____ **Disapproval:** _____ **other:** _____

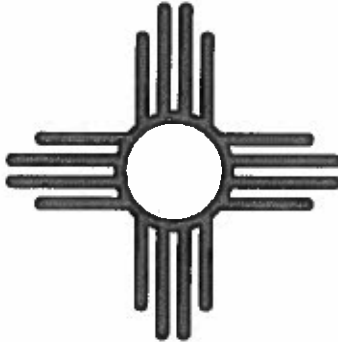
Manager's Comments:

Signature: _____

**REQUEST FOR PROPOSALS
FOR
DESIGN PROFESSIONAL SERVICES**

RFP No. 2016-002

Packet No. _____



Project Name: General Engineering Services

Contracting
Agency: Village of Angel Fire

Address: P.O. Box 610 3388 Mountain View Blvd.
Angel Fire, NM 87710

Telephone: 575-377-3232

Date: 2/26/16

Funding Type: Local, State and Federal Funding
Anticipated

This form was prepared by Village of Angel Fire, and is endorsed by the Professional Technical Advisory Board (PTAB which is comprised of the American Council of Engineering Companies New Mexico, New Mexico Society of Professional Engineers, American Institute of Architects New Mexico Chapter, New Mexico Professional Surveyors, and American Society of Landscape Architects New Mexico Chapter), Local Government Division, Department of Finance and Administration, Rural Utility Service, US Department of Agriculture, New Mexico Environmental Department, and New Mexico Finance Authority.

NOTICE OF REQUEST FOR PROPOSALS

Qualifications-based competitive sealed proposals for design professional services will be received by the Contracting Agency, Village of Angel Fire for RFP No. 2016-002

The Contracting Agency is requesting proposals for professional

- | | |
|---|---|
| <input type="checkbox"/> architectural services | <input checked="" type="checkbox"/> engineering services |
| <input type="checkbox"/> surveying services | <input type="checkbox"/> landscape architectural services |
| <input type="checkbox"/> planning services | |

for: General On-Call Engineering Services on an as-needed basis for projects within the Village of Angel Fire

Project No. _____

Proposals will be received at 3388 Mountain View Blvd, Angel Fire, NM 87710 to the attention of Fabian Mascarenas or mailed to P.O. Box 610 Angel Fire, NM 87710 to the attention of Fabian Mascarenas until Monday, March 14, 2016, 3:00pm.

Copies of the Request for Proposals can be obtained in person at the office of Fabian Mascarenas, at Village of Angel Fire at 3388 Mountain View Blvd., Angel Fire, NM 87710 or will be mailed or emailed upon request to Fabian Mascarenas at 575-377-3232 or fmascarenas@angelfirenm.gov.

A Pre-Proposal Conference ☐ will ☒ will not be held on day & date at time am/pm at location address.

PURCHASING AGENT:

Fabian Mascarenas

Date: 2/26/16

(for Contracting Agency's Use Only)

Newspaper: <u>Albuquerque Journal</u>	Publish: <u>2/26/2016</u>	P.O. No. _____
Newspaper: _____	Publish: _____	P.O. No. _____
Newspaper: _____	Publish: _____	P.O. No. _____

[Note: This Notice is issued pursuant to the requirements of § 13-1-104 NMSA 1978 and must be published not less than 10 calendar days prior to the date set for the receipt of proposals (§ 13-1-113) and published in a newspaper of general circulation in the area.]

1. PROJECT DESCRIPTION

The Village of Angel Fire, New Mexico, is requesting proposals to provide Professional Engineering Services to include grants consulting, planning, design services, and engineering for the Village of Angel Fire under an on-call agreement.

2. SCOPE OF WORK

The Offeror shall perform the following professional services:

2.1 Provide standard **Basic Design Services**, consisting of:

Architects/Landscape Architects

- ☐ Programming Phase
- ☐ Schematic Phase
- ☐ Design Development Phase
- ☐ Construction Documents Phase
- ☐ Bidding and Negotiations Phase
- ☐ Construction Administration Phase
- ☐ Post-Construction Phase

Surveyors

- ☐ Property Boundary Survey
- ☐ Topographic Survey
- ☐ Easement Survey
- ☐ Right-of-Way Survey
- ☐ Inspection Report

Additional Services

- ☒ Environmental Documentation
- ☒ Permitting
- ☒ Grant Administration
- ☒ Right of Way Acquisition

Engineers

- ☒ Study and Report Phase (PER)
- ☒ Preliminary Design Phase
- ☒ Final Design Phase
- ☒ Bidding and Negotiations Phase
- ☒ Construction Phase
- ☒ Operational Phase

Planning Studies

- ☒ Comprehensive Plan
- ☒ Strategic (i.e. issue specific) Plan
- ☐ Mapping and/or Zoning
- ☐ Other Planning Tasks

2.2 ☒ Periodic or ☐ Full-time on-site observation during construction.

2.3 Other (list):

☒ Attend Staff/Council Meetings as requested

- ☐ _____
- ☐ _____
- ☐ _____

INSTRUCTIONS TO OFFERORS

1. DEFINITIONS AND TERMS

- 1.1. **Addendum:** a written or graphic instrument issued prior to the opening of Proposals, which clarifies, corrects, or changes the Request for Proposals. Plural: addenda.
- 1.2. **Consultant:** means the Successful Offeror awarded the Agreement/Contract.
- 1.3. **Determination:** means the written documentation of a decision of the procurement officer including findings of fact required to support a decision. A determination becomes part of the procurement file to which it pertains (§ 13-1-52 NMSA 1978).
- 1.4. **Offeror:** any person, corporation, or partnership legally licensed to provide design professional services in this state who chooses to submit a proposal in response to this Request for Proposals.
- 1.5. **Procurement Manager:** means the person or designee authorized by the Contracting Agency to manage or administer a procurement requiring the evaluation of proposals.
- 1.6. **Request for Proposals:** or "RFP" means all documents, including those attached or incorporated by reference, used for soliciting proposals (§ 13-1-81 NMSA 1978).
- 1.7. **Responsible Offeror or Proposer:** means an offeror or proposer who submits a responsive proposal and who has furnished, when required, information and data to prove that the proposer's financial resources, production or service facilities, personnel, service reputation and experience are adequate to make satisfactory delivery of the services described in the proposal (§ 13-1-83 NMSA 1978).
- 1.8. **Responsive Offer or Proposal:** means an offer or proposal that conforms in all material respects to the requirements set forth in the request for proposals. Material respects of a request for proposals include, but are not limited to, price, quality, quantity or delivery requirements (§ 13-1-85 NMSA 1978).
- 1.9. The terms **must, shall, will, is required, or are required**, identify a mandatory item or factor that will result in the rejection of the offeror's proposal.

- 1.10. The terms **can, may, should, preferably, or prefers** identify a desirable or discretionary item or factor.

2. REQUEST FOR PROPOSAL DOCUMENTS

2.1. COPIES OF REQUEST FOR PROPOSALS

- A. A complete set of the Request for Proposals may be obtained from the Contracting Agent.
- B. A complete set of the Request for Proposals shall be used in preparing proposals; the Contracting Agency assumes no responsibility for errors or misinterpretations resulting from the use of an incomplete set of the request for Proposals.
- C. The Contracting Agency in making copies of Request for Proposals available on the above terms, does so only for the purpose of obtaining proposals on the Project and does not confer a license or grant for any other use.
- D. A copy of the RFP shall be made available for public inspection and shall be posted at the Administration Building of the Contracting Agency.

2.2. INTERPRETATIONS

- A. All questions about the meaning or intent of the Request for Proposals shall be submitted to the Procurement Manager of the Contracting Agency in writing. Replies will be issued by Addenda mailed or delivered to all parties recorded by the Contracting Agency as having received the Request for Proposals. Questions received less than five days prior to the date for opening of proposals will not be answered. Only questions answered by formal written addenda will be binding. Oral and other interpretations or clarifications will be without legal effect.
- B. Offerors should promptly notify the Contracting Agency of any ambiguity, inconsistency, or error, which they may discover upon examination of the Request for Proposals.

2.3. ADDENDA

- A. Addenda will be mailed by certified mail with return receipt requested, by facsimile or hand delivered to all who are known by the Contracting Agency to have received a complete set of Request for Proposals.

- B. Copies of Addenda will be made available for inspection wherever Requests for Proposals are on file for that purpose.
- C. No Addenda will be issued later than 5 days prior to the date for receipt of Proposals, except an Addendum withdrawing the Request for Proposals or one, which includes postponement of the date for receipt of Proposals.
- D. Each Offeror shall ascertain, prior to submitting the Proposal, that the Offeror has received all Addenda issued and shall acknowledge their receipt in the Proposal transmittal letter.

3. PROPOSAL SUBMITTAL PROCEDURES

3.1. NUMBER, FORM AND STYLE OF PROPOSALS

- A. Offerors shall provide 5 copies plus 1 original copies of their proposal to the location specified on Page 2 on or before the closing date and time for receipt of proposals.
- B. All proposals must be typewritten on standard 8 1/2" x 11" paper and bound on the left-hand margin.
- C. A maximum of n/a pages, not including front and back covers, cover letter, table of contents, Resident Business or Resident Veteran Business Certificates/Certification Form, and Campaign Contribution Disclosure Form.
- D. The proposal must be organized in the following format and must contain, as a minimum, all listed items in the sequence indicated:
 - 1) Cover Letter
 - 2) Response to Evaluation Criteria (Pages 10 and 11)
 - 3) Other supporting or resource material
- E. Any proposal that does not adhere to this format, and which does not address each specification and requirement within the RFP may be deemed non-responsive and rejected on that basis.
- F. Offerors may request in writing nondisclosure of confidential data. Such data should accompany the proposal and should be readily separable from the proposal in order to facilitate eventual public inspection of the non-confidential portion of the proposal. A request that states that the entire proposal be kept confidential will not be acceptable. Only

matters, which clearly are of a confidential nature, will be considered.

- G. Any cost incurred by the Offeror in preparation, transmittal, presentation of any proposal or material submitted in response to this RFP shall be borne solely by the Offeror.

3.2. SUBCONSULTANTS

- A. The Offeror shall list and state the qualifications for each Sub-consultant the Offeror proposes to use for all subcontracted Work.
- B. The Offeror is specifically advised that any person or other party to whom it is proposed to award a subcontract under this proposal, must be acceptable to the Contracting Agency after verification by the Contracting Agency of the current eligibility status, including but not limited to suspension or debarment by the Contracting Agency.

3.3. PREQUALIFICATION PROCESS

A business may be pre-qualified by the Purchasing Agent as an Offeror for particular types of service. Mailing lists of potential Offerors shall include but shall not be limited to such pre-qualified businesses (§ 13-1-134 NMSA 1978). For purposes of this RFP, if pre-qualification is utilized, special instructions will be attached as an exhibit to this RFP.

3.4. DEBARRED OR SUSPENDED CONTRACTORS

A business (contractor, subcontractor or supplier) that has either been debarred or suspended pursuant to the requirements of § 13-1-177 through § 13-1-180, and § 13-3-11 through § 13-4-17 NMSA 1978 as amended, shall not be permitted to do business with the Contracting Agency and shall not be considered for award of the contract during the period for which it is debarred or suspended with the Contracting Agency.

3.5. SUBMITTAL OF PROPOSALS

- A. Proposals shall be submitted at the time and place indicated in the Notice of Request for Proposals and shall be included in an opaque sealed envelope marked with the Project title and name and address of the Offeror and accompanied by the documents listed in the Request for Proposal.
- B. The envelope shall be addressed to the Purchasing Agent/Procurement Officer of the Contracting Agency. The following information shall be provided on the front lower left corner of the Bid envelope: Project Title, Project No., Request for

Proposals number, date of opening, and time of opening. If the Proposal is sent by mail, the sealed envelope shall have the notation "SEALED PROPOSAL ENCLOSED" on the face thereof.

- C. Proposals received after the date and time for receipt of Proposals will be returned unopened.
- D. The Offeror shall assume full responsibility for timely delivery of proposals at the Purchasing Agent's office, including those proposals submitted by mail. Hand-delivered proposals shall be submitted to the Purchasing Agent or the Purchasing Agent's designee and will be clocked in/time stamped at the time received, which must be prior to the time specified.
- E. After the date established for receipt of proposals, a register of proposals will be prepared which includes the name of each Offeror, a description sufficient to identify the service, the names and addresses of the required witnesses, and such other information as may be specified by the Purchasing Agent.
- F. Oral, telephonic, or telegraphic proposals are invalid and will not receive consideration.

3.6. CORRECTION OR WITHDRAWAL OF PROPOSALS

- A. A Proposal containing a mistake discovered before proposal opening may be modified or withdrawn by an Offeror prior to the time set for proposal opening by delivering written or telegraphic notice to the location designated in the Request for Proposals as the place where Proposals are to be received.
- B. Withdrawn Proposals may be resubmitted up to the time and date designated for the receipt of Proposals, provided they are then fully in conformance with the Request for Proposals.

3.7. NOTICE OF CONTRACT REQUIREMENTS BINDING ON OFFEROR

- A. In submitting this proposal, the Offeror represents that the Offeror has familiarized himself with the nature and extent of the Request for Proposals dealing with federal, state and local requirements, which are a part of these Request for Proposals.
- B. Laws and Regulations: The Offerors' attention is directed to all applicable federal

and state laws, local ordinances and regulations and the rules and regulations of all authorities having jurisdiction over the services of the Project.

3.8. REJECTION OR CANCELLATION OF PROPOSALS

This Request for Proposals may be canceled, or any or all proposals may be rejected in whole or in part, when it is in the best interest of the Contracting Agency. A determination containing the reasons therefore shall be made part of the project file (§13-1-131 NMSA 1978).

4. CONSIDERATION OF PROPOSALS

4.1. RECEIPT, OPENING AND RECORDING

- A. Proposals received on time will be opened publicly or in the presence of one or more witnesses and the name of the Offeror and address will be read aloud.
- B. The names of all businesses submitting proposals and the names of all businesses, if any, selected for interview shall be public information. After an award has been made, final ranking and evaluation scores for all proposals shall become public information. (§13-1-120 NMSA 1978). The contents of any proposal shall not be disclosed so as to be available to competing Offerors during the negotiation process (§ 13-1-116 NMSA 1978).

4.2. PROPOSAL EVALUATION

- A. Proposals shall be evaluated on the basis of demonstrated competence and qualifications for the type of service required, and shall be based on the evaluation factors set forth in this RFP. For the purpose of conducting discussions, proposals may initially be classified as:
 - 1) Acceptable,
 - 2) Potentially acceptable, that is, reasonably assured of being made acceptable, or
 - 3) Unacceptable (Offerors whose proposals are unacceptable shall be notified promptly).
- B. The Contracting Agency shall have the right to waive technical irregularities in the form of the Proposal of the Offeror, which do not alter the quality or quantity of the services (§ 13-1-132 NMSA 1978).
- C. If an Offeror who otherwise would have been awarded a contract is found not to be a responsible Offeror; a Determination that the Offeror is not a responsible Offeror, setting forth the basis of the finding, shall be prepared by the Purchasing

Agent/Procurement Manager. The unreasonable failure of the Offeror to promptly supply information in connection with an inquiry with respect to responsibility is grounds for a determination that the Offeror is not a responsible Offeror (§ 13-1-133 NMSA 1978). Businesses, which have not been selected, shall be so notified in writing within twenty-one days after an award is made (§ 13-1-12- NMSA 1978).

D. Selection Process: (§ 13-1-120 NMSA 1978).

- 1) An evaluation committee composed of representatives selected by the Contracting Agency will perform an evaluation of proposals. The committee shall evaluate statements of qualifications and performance data submitted by at least three businesses in regard to the particular project and may conduct interviews with and may require public presentation by all businesses applying for selection regarding their qualifications, their approach to the project and their ability to furnish the required services.
- 2) If fewer than three businesses have submitted a statement of qualifications for a particular project, the committee may:
 - a) Rank in order of qualifications and submit to the local governing body for award those businesses which have submitted a statement of qualifications; or
 - b) Recommend termination of the selection process and sending out of new notices of the proposed procurement pursuant to § 13-1-104 NMSA 1978.

4.3. NEGOTIATIONS (§13-1-122 NMSA 1978)

- A. The Contracting Agency's designee shall negotiate a contract with the highest qualified business for the services contemplated under this RFP at compensation determined in writing to be fair and reasonable. In making this decision, the designee shall take into account the estimated value of the services to be rendered and the scope, complexity and professional nature of the services.
- B. Should the designee be unable to negotiate a satisfactory contract with the business considered to be the most qualified at a price determined to be fair and reasonable, negotiations with that business shall be formally terminated. The designee shall then undertake negotiations with the second most qualified business. Failing

accord with the second most qualified business, the designee shall formally terminate negotiations with that business.

- C. The designee shall then undertake negotiations with the third most qualified business.
- D. Should the designee be unable to negotiate a contract with any of the businesses selected by the committee, additional businesses shall be ranked in order of their qualifications and the designee shall continue negotiations in accordance with this section until a contract is signed with a qualified business or the procurement process is terminated and a new request for proposals is initiated.
- E. The Contracting Agency shall publicly announce the business selected for award.

4.4. NOTICE OF AWARD

After award by the local governing body, a written notice of award shall be issued by the Contracting Agency after review and approval of the Proposal and related documents by the Contracting Agency with reasonable promptness (§ 13-1-100 and § 13-1-108 NMSA 1978).

5. POST-PROPOSAL INFORMATION

5.1. PROTESTS

- A. Any Offeror who is aggrieved in connection with a solicitation or award of a Agreement may protest to the Contracting Agency's Purchasing Agent and the Chief Administrator/Clerk in accordance with the requirements of the Contracting Agency's Procurement Regulations and the state Procurement Code. The protest should be made in writing within 24 hours after the facts or occurrences giving rise thereto, but in no case later than 15 calendar days after the facts or occurrences giving rise thereto (§ 13-1-172 NMSA 1978).
- B. In the event of a timely protest under this section, the Purchasing Agent and the Contracting Agency shall not proceed further with the procurement unless the Purchasing Agent makes a determination that the award of Agreement is necessary to protect substantial interests of the Contracting Agency (§ 13-1-173 NMSA 1978).
- C. The Purchasing Agent or the Purchasing Agent's designee shall have the authority to take any action reasonably necessary to resolve a protest of an aggrieved Offeror concerning procurement. This authority shall be exercised in accordance with

adopted regulations, but shall not include the authority to award money damages or attorneys' fees (§ 13-1-174 NMSA 1978).

- D. The Purchasing Agent or the Purchasing Agent's designee shall promptly issue a determination relating to the protest. The determination shall:
 - 1) State the reasons for the action taken; and
 - 2) Inform the protestant of the right to judicial review of the determination pursuant to § 13-1-183 NMSA 1978
- E. A copy of the determination issued under § 13-1-175 NMSA 1978 shall immediately be mailed to the protestant and other Offerors involved in the procurement (§ 13-1-176 NMSA 1979).

5.2. EXECUTION AND APPROVAL OF AGREEMENT

The Agreement shall be signed by the Successful Offeror and returned within an agreed time frame after the date of the Notice of Award. No Agreement shall be effective until it has been fully executed by all of the parties thereto.

5.3. NOTICE TO PROCEED

The Contracting Agency will issue a written Notice to Proceed to the Consultant.

5.4. OFFEROR'S QUALIFICATION STATEMENT

Offeror to whom award of a Agreement is under consideration shall submit, upon request, information and data to prove that their financial resources, production or service facilities, personnel, and service reputation and experience are adequate to make satisfactory delivery of the services described in the Request for Proposals (§ 13-1-82 NMSA 1978).

6. OTHER INSTRUCTIONS TO OFFERORS

Resident Business Preference or Resident Veteran Business Preference:

Points will be awarded based on Offeror's ability to provide a copy of a current Resident Business certificate or Resident Veteran Business certificate.

6.1 Resident Business Preference

For the Offeror to receive a Resident Business Preference, the business shall submit, with this proposal, a copy of a valid Resident Business certificate issued by the New Mexico Taxation & Revenue Department. The application for preference may be downloaded at the following website: <http://www.tax.newmexico.gov/forms-and-publications/pages/recently-updated.aspx>.

Five (5) percent (%) of the total possible points may be awarded to an Offeror who qualifies as a Resident Business. These points are added to the total points received for the Evaluation Criteria (page 11).

6.2 Resident Veteran Business Preference

For the Offeror to receive a Resident Veteran Business Preference, the business shall complete, sign, and include with the proposal the attached certification form, along with a copy of a valid Resident Veteran Business Preference certificate issued by the New Mexico Taxation & Revenue Department. The application for preference may be downloaded at the following website: <http://www.tax.newmexico.gov/forms-and-publications/pages/recently-updated.aspx>.

Offerors seeking a Resident Veteran Business Preference will be evaluated as follows:

- A. Resident Veteran Businesses with annual revenues of \$1M or less are to receive a 10% preference on their proposals.
- B. Resident Veteran Businesses with annual revenues of more than \$1M but less than \$5M are to receive an 8% preference on their proposals.
- C. Resident Veteran Businesses with annual revenues of more than \$5M are to receive a 7% preference on their proposals.

The 7%, 8%, or 10%, as indicated above, will be to the total points received for the Evaluation Criteria (page 11).

The Resident Veteran Business Preference is separate from the Resident Business Preference and is not cumulative with that preference. However, Resident Veteran Businesses can still receive the Resident Business Preference once the Resident Veteran Business Preference cap is exceeded.

Example: An RFP has a total value of 1,000 points. Five proposals are received: one from a Resident Business, one from a Resident Veteran Business with an 8% preference, and three non-resident businesses. The Resident Business would receive 50 points and the Resident Veteran Business would receive 80 points which would be added to their already evaluated scores, thereby making it possible for the highest score to be 1,080.

Note: Neither the Resident Business Preference nor the Resident Veteran Business Preference can be awarded for any project/contract if it includes federal funds.

GENERAL TERMS AND CONDITIONS

1. GOVERNING LAW

The Agreement shall be governed exclusively by the laws of the State of New Mexico as the same from time to time exists.

2. INDEPENDENT CONTRACTORS

The Consultant (design professionals) and the Consultant's agents and employees are independent Contractors and are not employees of the Contracting Agency. The Consultant and Consultant's agents and employees shall not accrue leave, retirement, insurance, bonding, use of Contracting Agency vehicles or any other benefits afforded to employees of the Contracting Agency as a result of the Agreement.

3. BRIBES, GRATUITIES AND KICK-BACKS

Pursuant to §13-1-191 NMSA 1978, reference is hereby made to the criminal laws of New Mexico (including § 30-14-1, § 30-24-2, and § 30-41-1 through § 30-41-3 NMSA 1978) which prohibits bribes, kickbacks, and gratuities, violation of which constitutes a felony. further, the Procurement Code (§ 13-1-28 through § 13-1-199 NMSA 1978) imposes civil and criminal penalties for its violation.

4. STANDARD FORM OF AGREEMENT BETWEEN CONTRACTING AGENCY AND CONSULTANT (Design Professional)

The form of agreement required by the funding agency or issued by the Contracting Agency will be used for this project. Copies are available and may be reviewed upon request.

5. FEES

A lump sum fixed fee for Basic Service will be negotiated with the Offeror selected.

Additional Services may also be negotiated with the Offeror selected.

6. FUNDING

This solicitation is subject to the availability of funds to accomplish the work.

7. DESIGN PROFESSIONAL REGISTRATION

All work shall be under the direction of the applicable design professional legally licensed and registered by the state.

8. PROFESSIONAL LIABILITY INSURANCE

The Offeror ☒ will ☐ will not be required to carry professional liability (errors and omissions) insurance. If required to carry such insurance, the amount of coverage will be \$1,000,000

Note to Owner Regarding Evaluation Criteria

The Request for Proposal must include each of the following Evaluation Criteria* as required by statute (§ 13-1-120.B NMSA 1978). Each proposal submitted must address the required Evaluation Criteria. Based on the complexity of the project, the Owner may add additional items to be evaluated. The Owner must assign a weight factor to each of the Evaluation Criteria (page 11) to communicate to Offerors the relative importance of each.

EVALUATION CRITERIA:

1. Specialized Design and Technical Competence*

Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required.

2. Capacity and Capability*

Capacity and capability of the business, including any consultants, their representatives, qualifications and locations, to perform the work, including any specialized services, within the time limitations.

3. Past Record of Performance*

Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules.

4. Familiarity with the Contracting Agency*

Proximity to or familiarity with the area in which the project is located.

5. Work to be Done in New Mexico*

The amount of design work that will be produced by a New Mexico business within this state. *Note: Not allowed for federally funded projects.*

6. Current Volume of Work with the Contracting Agency Not 75% Complete*

The volume of work previously done for the entity requesting proposals which is not seventy-five percent complete with respect to basic professional design services [through bidding phase], with the objective of effecting an equitable distribution of contracts among qualified businesses and of assuring the interest of the public in having available a substantial number of qualified businesses is protected; however, that the principal of selection of the most highly qualified business is not violated.

Firm should indicate the volume of work they currently have underway with the Contracting Agency that is less than 75 percent complete. The purpose of this criteria is to help distribute projects among qualified firms. An example of how points can be assigned is provided below:

Value of work not yet completed on projects that are not 75% Complete	(Example) Points to be allowed for this item
None	5
\$1 to \$ 25,000	4
25,001 to 50,000	3
50,001 to 75,000	2
75,001 to 100,000	1
100,001 or more	0

7. Other Contracting Agency Criteria

The Owner may add additional elements to be evaluated, such as Public Involvement Experience, and assign points according to their importance. *Note: Price cannot be a factor.*

EVALUATION CRITERIA

EVALUATION CRITERIA AND POINT VALUES

OFFERORS:

Proposal must address each of the following criteria. Each proposal may be awarded points up to the amount listed.

RATING SHEET FOR: Applicant _____		
ITEM	POSSIBLE POINTS (100)	SCORE
PLANNING & DESIGN SERVICES		
1. Specialized Design and Technical Competence* Specialized design and technical competence of the business, including a joint venture or association, regarding the type of services required	_____ (30)	
2. Capacity and Capability* Capacity and capability of the business to perform the work, including any specialized services, within the time limitations	_____ (25)	
3. Past Record of Performance* Past record of performance on contracts with government agencies or private industry with respect to such factors as control of costs, quality of work and ability to meet schedules	_____ (25)	
4. Familiarity with the Contracting Agency * Proximity to or familiarity with the area in which the project is located	_____ (10)	
5. Work to be Done in New Mexico* <i>Note: Not allowed for federally funded projects.</i> The amount of design work that will be produced by a New Mexico business within the state.	_____ (5)	
6. Current Volume of Work with the Contracting Agency Not 75% Complete*	_____ (5)	
7. Other Contracting Agent Criteria (if desired) None	_____ (0)	
SUBTOTAL (total possible points for Planning & Design Services)	_____ (100)	

**Items required by statute (§ 13-1-120.B NMSA 1978).*

Points awarded to an Offeror for Resident Business Preference or Resident Veteran Business Preference (required by Senate Bill 1, 2011) are based on total possible points as indicated above and are added to the total score awarded to that Offeror.

Points for preference cannot be awarded if the project/contract involves federal funds.

RATING SHEET (CONTINUED) FOR: Applicant _____		
ITEM	POSSIBLE POINTS (example)	SCORE
CONSTRUCTION SERVICES		
1. Specialized construction management experience.	_____ (20)	
2. Specialized experience with start up assistance to the Owner of new facilities.	_____ (15)	
3. Capacity and capability of the consultant to perform the work within the Owner's timeframe.	_____ (15)	
4. History of past performance on the three similar projects described in Specialized Design and Technical Competence (Page 11, number 1), including the record of bid amount versus final close out contract amount.	_____ (10)	
5. History of claims on three similar construction projects and their resolution. The consultant should detail their claims avoidance approach and construction management philosophy.	_____ (10)	
6. Other	_____ (0)	
7. Other	_____ (0)	
SUBTOTAL CONSTRUCTION SERVICES (total possible points for Construction Services)	_____ (70)	
TOTAL SCORE (total possible points)	_____ (170)	

CAMPAIGN CONTRIBUTION DISCLOSURE FORM

Pursuant to the Procurement Code, Sections 13-1-28, et seq., NMSA 1978 and NMSA 1978, § 13-1-191.1 (2006), as amended by Laws of 2007, Chapter 234, any prospective contractor seeking to enter into a contract with any state agency or local public body **for professional services, a design and build project delivery system, or the design and installation of measures the primary purpose of which is to conserve natural resources** must file this form with that state agency or local public body. This form must be filed even if the contract qualifies as a small purchase or a sole source contract. The prospective contractor must disclose whether they, a family member or a representative of the prospective contractor has made a campaign contribution to an applicable public official of the state or a local public body during the two years prior to the date on which the contractor submits a proposal or, in the case of a sole source or small purchase contract, the two years prior to the date the contractor signs the contract, if the aggregate total of contributions given by the prospective contractor, a family member or a representative of the prospective contractor to the public official exceeds two hundred and fifty dollars (\$250) over the two year period.

Furthermore, the state agency or local public body may cancel a solicitation or proposed award for a proposed contract pursuant to Section 13-1-181 NMSA 1978 or a contract that is executed may be ratified or terminated pursuant to Section 13-1-182 NMSA 1978 of the Procurement Code if: 1) a prospective contractor, a family member of the prospective contractor, or a representative of the prospective contractor gives a campaign contribution or other thing of value to an applicable public official or the applicable public official's employees during the pendency of the procurement process or 2) a prospective contractor fails to submit a fully completed disclosure statement pursuant to the law.

The state agency or local public body that procures the services or items of tangible personal property shall indicate on the form the name or names of every applicable public official, if any, for which disclosure is required by a prospective contractor.

THIS FORM MUST BE INCLUDED IN THE REQUEST FOR PROPOSALS AND MUST BE FILED BY ANY PROSPECTIVE CONTRACTOR WHETHER OR NOT THEY, THEIR FAMILY MEMBER, OR THEIR REPRESENTATIVE HAS MADE ANY CONTRIBUTIONS SUBJECT TO DISCLOSURE.

The following definitions apply:

"Applicable public official" means a person elected to an office or a person appointed to complete a term of an elected office, who has the authority to award or influence the award of the contract for which the prospective contractor is submitting a competitive sealed proposal or who has the authority to negotiate a sole source or small purchase contract that may be awarded without submission of a sealed competitive proposal.

"Campaign Contribution" means a gift, subscription, loan, advance or deposit of money or other thing of value, including the estimated value of an in-kind contribution, that is made to or received by an applicable public official or any person authorized to raise, collect or expend contributions on that official's behalf for the purpose of electing the official to statewide or local office. "Campaign Contribution" includes the payment of a debt incurred in an election campaign, but does not include the value of services provided without compensation or unreimbursed travel or other personal expenses of individuals who volunteer a portion or all of their time on behalf of a candidate or political committee, nor does it include the administrative or solicitation expenses of a political committee that are paid by an organization that sponsors the committee.

"Family member" means spouse, father, mother, child, father-in-law, mother-in-law, daughter-in-law or son-in-law of (a) a prospective contractor, if the prospective contractor is a natural person; or (b) an owner of a prospective contractor.

"Pendency of the procurement process" means the time period commencing with the public notice of the request for proposals and ending with the award of the contract or the cancellation of the request for proposals.

"Prospective contractor" means a person or business that is subject to the competitive sealed proposal process set forth in the Procurement Code or is not required to submit a competitive sealed proposal because that person or business qualifies for a sole source or a small purchase contract.

"Representative of a prospective contractor" means an officer or director of a corporation, a member or manager of a limited liability corporation, a partner of a partnership or a trustee of a trust of the prospective contractor.

Name(s) of Applicable Public Official(s) if any:

To be filled in by State Agency or Local Public Body

DISCLOSURE OF CONTRIBUTIONS BY PROSPECTIVE CONTRACTOR:

Contribution Made By: _____

Relation to Prospective Contractor: _____

Date Contribution(s) Made: _____

Amount(s) of Contribution(s) _____

Nature of Contribution(s) _____

Purpose of Contribution(s) _____

(The above fields are unlimited in size. However, add additional pages if necessary.)

--OR--

NO CONTRIBUTIONS IN THE AGGREGATE TOTAL OVER TWO HUNDRED FIFTY DOLLARS (\$250) WERE MADE to an applicable public official by me, a family member or representative.

Signature

Date

Title (Position)

Veterans Preference Certification

_____(Name of Business) hereby certifies the following in regard to application of the resident veteran preference to this formal request for proposals process:

Please check one box only:

- ☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is less than \$1M allowing me the 10% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- ☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$1M but less than \$5M allowing me the 8% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.
- ☐ I declare under penalty of perjury that my business prior year revenue starting January 1 ending December 31 is more than \$5M allowing me the 7% preference discount on this bid or proposal. I understand that knowingly giving false or misleading information about this fact constitutes a crime.

"I agree to submit a report, or reports, to the State Purchasing Division of the General Services Department declaring under penalty of perjury that during the last calendar year starting January 1 ending December 31, the following to be true and accurate:

"In conjunction with this procurement and the requirements of this business' application for a Resident Veteran Business Preference/Resident Veteran Contractor Preference under Sections 13-1-21 or 13-1-22 NMSA 1978, when awarded a contract which was on the basis of having such veterans preference, I agree to report to the State Purchasing Division of the General Services Department the awarded amount involved. I will indicate in the report the award amount as a purchase from a public body or as a public works contract from a public body as the case may be."

"I declare under penalty of perjury that this statement is true to the best of my knowledge. I understand that giving false or misleading statements about material fact regarding this matter constitutes a crime."

(signature of Business Representative)*

(Date)

*Must be an authorized signatory for the Business.

The representation made in checking the boxes constitutes a material representation by the business that is subject to protest and may result in denial of an award or unaward of the procurement involved if the statements are proven incorrect.